



**IT IS ORDERED as set forth below:**

**Date: March 13, 2023**

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**Sage M. Sigler**  
**U.S. Bankruptcy Court Judge**

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT GEORGIA  
ATLANTA DIVISION**

<b>In re:</b>	)	
	)	
<b>CWI CHEROKEE LF LLC,</b>	)	<b>Case No. 23-52262-SMS</b>
	)	
<b>Debtor.</b>	)	<b>Chapter 11</b>

**AGREED ORDER ON EMERGENCY MOTION FOR  
RELIEF FROM STAY PURSUANT TO 11 U.S.C. § 362(D)(1)**

This matter comes before the Court on the *Emergency Motion For Relief From Stay Pursuant To 11 U.S.C. § 362(D)(1)* (the “Motion”) [Doc. 7] filed by the Solid Waste Disposal Authority of the Cities of Muscle Shoals, Sheffield, and Tuscumbia, Alabama (the “Authority”). CWI Cherokee LF LLC (the “Debtor”) and the Authority (collectively, the “Parties”) have informed the Court that they have reached a temporary, limited agreement with respect to the relief sought in the Motion. The Parties have submitted the instant Agreed Order which reflects their agreements for the Court’s consideration and entry.

The Court has reviewed the Motion, and all other matters of record. Upon agreement of the Parties and for good cause shown hereby **ORDERS** the following.

- a. The automatic stay of 11 U.S.C. § 362(d)(1) is hereby modified to the extent necessary to allow the Authority to continue with its leachate remediation efforts at the Landfill, pending further Order of the Court. Such efforts may include, without limitation, engaging third parties to remove leachate from the Landfill and transport leachate offsite to facilities for treatment; provided, however, that the Authority shall ensure that any such third parties carry appropriate insurance.
- b. The Debtor shall provide the Authority, including third parties engaged by the Authority as provided herein, access to the Landfill as necessary to continue leachate remediation as provided herein during the hours of normal business operations (8:00 A.M.-5:00 P.M. Monday-Friday) and at other times as the Authority may reasonably request from time to time.
- c. Preservation of All Other Arguments and Rights. The Parties agree that nothing in this Order shall operate to waive or forego any legal or contractual rights, duties, obligations or arguments they may have except for those addressed herein. This order is without prejudice to any Party's right to seek further relief under the Bankruptcy Code, including, without limitation, modification of this Order or re-imposition of the stay for good cause shown, after appropriate notice and opportunity for hearing.
  1. The fourteen-day stay under Federal Rule of Bankruptcy Procedure 4001(a)(3) is hereby waived.
  2. The Court shall retain jurisdiction to enforce this Order while this Chapter 11 case remains pending.

END OF DOCUMENT

**CONSENTED TO BY:**

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